

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ERIC F. LEWIS,

Plaintiff,

vs.

LANCASTER COUNTY DISTRICT COURT,

et al.,

Defendants.

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No. 4:09CV01284 MLM

**MEMORANDUM AND ORDER OF TRANSFER**

This matter is before the Court on plaintiff's filing of a complaint pursuant to 42 U.S.C. § 1983.

Under 28 U.S.C. § 1391(b), an action of this type may "be brought only in (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought."

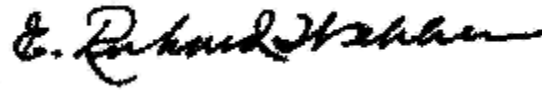
Because all of the named defendants are located in the United States District Court for the District of Nebraska, and the events that gave rise to this case occurred in the state of Nebraska, venue is proper in the District Court for the District of Nebraska.

Under 28 U.S.C. § 1406(b), "The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought." Because plaintiff is proceeding pro se, the Court finds that it is in the interest of justice to transfer this case to the United States District Court for the District of Nebraska.

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk shall transfer this case to the United States District Court for the District of Nebraska. See 28 U.S.C. § 1406(b).

Dated this 3rd Day of September, 2009.

A handwritten signature in black ink, appearing to read "E. Richard Webber", written in a cursive style.

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E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE